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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	NO.: 21-mj-71720 MAG
)	
Plaintiff,)	STIPULATION TO CONTINUE STATUS
)	CONFERENCE; [PROPOSED] ORDER
v.)	
)	
GREGORY SMITH,)	
)	
Defendant.)	
)	

The parties respectfully request that the status conference currently scheduled for March 16, 2022 at 2:00 p.m. be continued to April 27, 2022 at 2:00 p.m. The Government has provided the discovery to Defendant. Accordingly, the parties make this request to continue to give defense counsel the opportunity to review the discovery to adequately prepare Defendant's case.

The parties further stipulate and agree that the time between March 16, 2022 and April 27, 2022 should be excluded to allow for effective preparation of counsel, taking into account the exercise of due diligence, and that the ends of justice served by granting the request outweigh the best interests of the public and the defendant in a speedy trial.

The parties further stipulate and agree that, given the need to investigate matters which may bear on the disposition in the case, good cause exists for extending the time limits for a preliminary hearing under Federal Rule of Criminal Procedure 5.1(d), and defense counsel accordingly consents on behalf

1 of the defendant to extending the time limit for the preliminary hearing. The parties further stipulate
2 and agree to an extension of time for the 30-day time period of an indictment under the Speedy Trial
3 Act.

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5 DATED: March 15, 2022

Respectfully submitted,

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7 STEPHANIE M. HINDS
United States Attorney

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9 s/ Neal Hong
10 NEAL C. HONG
Assistant United States Attorney

11 s/ Severa Keith
12 SEVERA KEITH
13 Attorney for Gregory Smith
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~~[PROPOSED]~~ ORDER

Pursuant to the parties' stipulation, and for good cause shown, the Court HEREBY ORDERS that the status conference currently scheduled for March 16, 2022 be continued until April 27, 2022. For good cause shown, the Court further finds that failing to exclude the time between March 16, 2022 and April 27, 2022 would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, and that the ends of justice served by excluding that time from computation under the Speedy Trial Act outweigh the best interests of the public and the defendant in a speedy trial.

Therefore, IT IS HEREBY FURTHER ORDERED that the time between March 16, 2022 and April 27, 2022 shall be excluded from computation under the Speedy Trial Act. 18 U.S.C. § 3161(h)(7)(A) and (B)(iv).

The Court further finds good cause exists for extending the time limits for a preliminary hearing under Federal Rule of Criminal Procedure 5.1 and for extending the 30-day time period for an indictment under the Speedy Trial Act. *See* Fed. R. Crim. P. 5.1; 18 U.S.C. § 3161(b). IT IS SO ORDERED.

DATED: March 15, 2022



HON. SUSAN VAN KEULEN
United States Magistrate Judge